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Attorney for Respondent

IN THE UNITED STATES DISTRICT COURT

DISTRICT OF ALASKA

JACK L. EARL, JR.,)	
)	
Petitioner,)	No. 3:02-cv-224-HRH
)	
vs.)	
)	MOTION FOR LEAVE TO FILE
CRAIG TURNBULL,)	NON-PROGRESSIVELY
)	NUMBERED EXHIBIT
Respondent.)	
_____)	

The respondent seeks leave, under Local Rule 10.1(c)(1)(B), to lodge a non-progressively numbered exhibit to his response to the brief on the merits. The exhibit consists of a cassette tape of a police interview of the petitioner.

The petitioner has filed a transcript of the interview as an exhibit to his brief on the merits, but the transcript contains an error that is clearly revealed by listening to the actual recording. The cassette tape is therefore essential to the court's accurate consideration of the interview.

The format of the recording obviously makes it impractical to comply with the progressive-numbering requirement of Local Rule 10.1(c)(1)(A).

DATED this 17th day of April, 2007, at Anchorage, Alaska.

TALIS J. COLBERG
ATTORNEY GENERAL OF
THE STATE OF ALASKA

s/ Kenneth M. Rosenstein
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Certificate of Service

I certify that on , a copy of the foregoing **Motion For Leave To File Non-Progressively Numbered Exhibit** was served electronically on **Mary Geddes**

s/ Kenneth M. Rosenstein